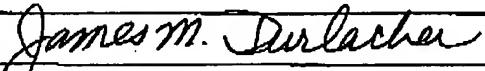


WEMMH/SB/21 (4/03)

TRANSMITTAL FORM		Application Number 10/629,799
(to be used for all correspondence after initial filing)		Filing Date July 29, 2003
		First Named Inventor Garry R. MARTY
		Group Art Unit 3753
		Examiner Name John A. Rivell
Total Number of Pages in this Submission 17		Attorney Docket Number 8271-26/ 115-3653-U
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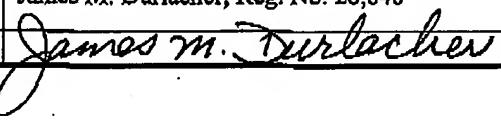
ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached see PTO-2038 form <input checked="" type="checkbox"/> Amendment Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosure (please identify below) <input type="checkbox"/> Return Receipt Postcard	
			<input checked="" type="checkbox"/> Assignment Papers
			<input checked="" type="checkbox"/> Drawing(s)
			<input checked="" type="checkbox"/> Licensing-related Papers
			<input checked="" type="checkbox"/> To Convert a Provisional Application
			<input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address
			<input checked="" type="checkbox"/> Terminal Disclaimer
			<input checked="" type="checkbox"/> Small Entity Statement
			<input checked="" type="checkbox"/> Request for Refund
			Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	James M. Durlacher Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	
Date	September 2, 2005

Certificate of Mailing

I hereby certify that this correspondence is being telefaxed to the United States Patent and Trademark Office, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 via Telefax No. 571-273-8300 on this date: September 2, 2005

Typed or printed name	James M. Durlacher, Reg. No. 28,840
Signature	
	Date
	September 2, 2005

FEE TRANSMITTAL FOR FY 2005

Effective 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act (H.R. 4818).

 Applicant claims small entity status. See 37 CFR 1.27

Total Amount of Payment (\$1,100.00)

Complete If Known

Application Number	10/629,799
Filing Date	July 29, 2003
First Named Inventor	Garry R. MARTY
Group Art Unit	3753
Examiner Name	John A. Rivell
Attorney Docket Number	8271-26/115-3653-U

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None Other (please identify): _____

Deposit Account: Deposit Account Number 23-3030 Deposit Account Name Woodard, Emhardt, Martry, McNett & Henry LLP

See PTO 2038 Form

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees

 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION:

1. BASIC FILING, SEARCH AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
Utility	300	150	600	250	200	100	\$ 0
Design	200	100	100	50	130	65	—
Plant	200	100	300	150	160	80	—
Reissue	300	150	600	250	600	300	—
Provisional	200	100	0	0	0	0	—

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Fee (\$)

Small Entity Fee (\$)

50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200 100

Multiple dependent claims

360 180

Total Claims

Extra Claims

Fee (\$)

Fee Paid (\$)

Multiple Dependent Claims

22 - 20 or HP = 2 x 50 = (\$ 100)

Fee

Fee Paid (\$)

(HP = highest number of total claims paid for, if greater than 20)

Indep. Claims Extra Claims Fee (\$)

Fee Paid (\$)

360

\$ 0

8 - 3 or HP = 5 x 200 = (\$ 1000)

(HP = highest number of independent claims paid for, if greater than 3)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

Fee Paid (\$)

-100 = -1/50 = (round up to a whole number) x = 0

4. OTHER FEE(S)

Non-English Specification.

Fee (\$)

0

Other: Fee to Record Assignment _____

SUBMITTED BY:

Name (Print/Type):	James M. Durlacher	Registration No.: (Attorney/Agent)	28,840	Telephone:	(317) 634-3456
Signature:	James M. Durlacher			Date:	September 2, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type):	Sandra L. Stitz	Date	September 2, 2005
Signature:	Sandra L. Stitz		

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8271-26 JMD: #361827

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 02 2005

In re patent application of:

Garry R. MARTY

Serial No. 10/629,799

Filed July 29, 2003

MULTI-PORT DIVERTER
VALVE ASSEMBLY WITH
INTEGRAL DETENT

) Before the Examiner
>) John A. Rivell
>) Group Art Unit 3753
>) September 2, 2005
>)

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James M. Durlacher

Name of Registered Representative

James M. Durlacher

Signature

September 2, 2005

Date of Signature

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated August 1, 2005, please enter the following amendments and remarks in the above-identified patent application.

Please provide any extensions of time which are required and charge any additional fees which may be due or credit any overpayments to Deposit Account No. 23-3030.

09/06/2005 TL0111 00000045 10629799

01 FC:1201
02 FC:12021000.00 OP
100.00 OP

Amendment Response
Serial No. 10/629,799 Group Art Unit 3753
Atty. Docket No. 8271-26/ 115-3653-U
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